(1) (8)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

WRIT PETITION No. 2465 OF 2002

PETITIONER: Smt.Kamrunnisa, W/O. Shri A.Q.Qureshi,Aged About 54 Years, Lecturer, Covernment Girls Higher Secondary School, Gariyaband, Distt. Raipur (CHHATTISGARH).

VERSUS

RESPONDENTS:

1. State Of Chhattisgarh, Through: Principal Secretary, Government of Chhattisgarh, Department of Tribal Welfare D.K.S.Bhawan Mantralaya, Raipur CHHATTISGARH

2. Assistant Commissioner, Tribal Welfare Department, Collectorate, Raipur CHHATTISGARH

P.R. No. 2462/02
Presented by Shri Rajesh Tiwari
dated 1.11.02

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUION OF INDIA

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक W.P.NO. 2465/2002 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	03/03/2003 Shri Azad Siddiqui, counsel for the petitioner. Dr.N.K. Shukla, Additional Advocate General with Smt. Anju Ahuja, PL for the State. Heard. The challenge in this writ petition is to the order dated 11/09/2002 (Annexure P/1) whereby the petitioner who was working as a Lecturer posted at Government Girls Higher Secondary School, Gariyaband, Dist. Raipur, has been transferred in the same capacity to Jagdalpur. According to the petitioner, the transfer order is liable to be quashed as it violates the transfer policy and obviously it has been passed in contravention of the transfer policy and the petitioner's transfer is malafide being under pressure of the Muslim Jamat of Gariyaband. It is also stated that the petitioner has one issue who is studying in Class VII in Vidya Niketan School, Gariyaband and she is to appear in the final examination which is to be held in March, 2003. It is also stated that her transfer at this point of time will adversely	

[पीछे देखिये

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आदेश पत्रक

मामला क्रमांक WP 2468/02 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	affect her daughter's studies as the academic session is coming to an end and the VIIth final examination is to commence shortly. It is further stated that considering the above facts the matter was brought to the notice of the Authority and a request was made for quashing her transfer, but as the same has not been considered, she has approached this Court for relief. In view of the above, the Court is of the opinion that all the grievances which the petitioner has made in this writ petition could have been made before the Authority by way of a proper/appropriate representation. Since this has not been done, the Court thinks it appropriate to dispose of this writ petition wit a direction that in case a proper representation is made by the petitioner to the concerned Authori6y within ten days from today, the same shall be considered and disposed of by the same authority on its own merits on which the Court is not expressing any opinion. In case the Authority does not accept he petitioner's representation then it would defer the transfer of the petitioner till the end of the academic session so	

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(B7)

आदेश पत्रक

मामला क्रमांक W.P 1514/02 **सन्** **200**

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

that the studies of the petitioner's daughter who is to appear VIIth Examination, are not affected.

With the aforesaid observations and directions, this writ petition stands disposed of. Consequently, M.W.P. No.1514/2002 and I.A.No. 7704/2002 also stands disposed of.

Sd/-
P.C NAIK
Judge

10.7.03